

FTP and SFTP testing under paragraph (a) of this section. Separate vehicles may be selected to be tested for evaporative and refueling testing.

(2) Each test group must be represented by both evaporative and refueling testing (provided that the refueling standards are applicable) before it may be certified. That required testing may have been conducted on a vehicle in another test group provided the tested vehicle is a member of the same evaporative/refueling family and evaporative/refueling emission system combination and it was selected for testing in accordance with the provisions of paragraph (b)(1) of this section.

(3) For evaporative/refueling emission testing, the vehicle(s) selected shall be equipped with the worst-case evaporative/refueling emission hardware available on that vehicle considering such items as canister size and material, fuel tank size and material, purge strategy and flow rates, refueling characteristics, and amount of vapor generation.

(c) *Cold CO testing.* For cold temperature CO exhaust emission compliance for each durability group, the vehicle expected to emit the highest CO emissions at 20 degrees F on candidate in-use vehicles shall be selected from the test vehicles selected in accordance with paragraph (a) of this section.

(d) *Certification Short Test testing.* For CST exhaust emission compliance for each durability group, the vehicle expected to emit the highest CST emissions on candidate in-use vehicles shall be selected from the vehicles selected in accordance with paragraph (a) of this section. The manufacturer may elect to submit a compliance statement in lieu of test data under the provisions of § 86.1829-01.

(e) The manufacturer may select, using good engineering judgement, an equivalent or worst-case configuration in lieu of testing the vehicle selected in paragraphs (a) through (d) of this section. Carryover data satisfying the provisions of § 86.1839-01 may also be used in lieu of testing the configuration selected in paragraphs (a) through (d) of this section.

(f) The manufacturer shall use good engineering judgment in making selections of vehicles under this section.

**§ 86.1829-01 Durability and emission testing requirements; waivers.**

(a) *Durability demonstration.* (1) One durability demonstration is required for each durability group.

(2) The configuration of the DDV is determined according to the provisions of § 86.1822-01.

(3) The DDV shall be tested and accumulate service mileage according to the provisions of §§ 86.1831-01, 86.1823-01, 86.1824-01 and 86.1825-01. Small volume manufacturers and small volume test groups may optionally meet the requirements of § 86.1838-01.

(b) *Emissions demonstration—*(1) *FTP and SFTP Exhaust Testing—*(i) *Testing at low altitude.* One EDV shall be tested in each test group for exhaust emissions using the FTP and SFTP test procedures of subpart B of this part. The configuration of the EDV will be determined under the provisions of § 86.1828-01 of this subpart.

(ii) *Testing at high altitude.* For high-altitude exhaust emission compliance for each test group, the manufacturer shall follow one of the following two procedures:

(A) One EDV shall be tested in each test group for exhaust emissions using the FTP test procedures of subpart B of this part. The configuration of the EDV will be determined under the provisions of § 86.1828-01; or

(B) In lieu of testing vehicles according to the provisions of paragraph (b)(1)(ii)(A) of this section, a manufacturer may provide a statement in its application for certification that, based on the manufacturer's engineering evaluation of appropriate high-altitude emission testing, all light-duty vehicles and light-duty trucks comply with the emission standards at high altitude.

(iii) *Data submittal waivers.* (A) In lieu of testing a methanol-fueled diesel-cycle light truck for particulate emissions a manufacturer may provide a statement in its application for certification that such light trucks comply with the applicable standards. Such a statement shall be based on previous emission tests, development tests, or other appropriate information.

(B) In lieu of testing a gasoline-fueled or methanol-fueled Otto-cycle certification light-duty vehicle or

light-duty trucks for particulate emissions a manufacturer may provide a statement in its application for certification that such vehicles comply with the applicable standards. Such a statement shall be based on previous emission tests, development tests, or other appropriate information.

(C) A manufacturer may petition the Administrator for a waiver of the requirement to submit total hydrocarbon emission data. If the waiver is granted, then in lieu of testing a certification light-duty vehicle or light-duty truck for total hydrocarbon emissions the manufacturer may provide a statement in its application for certification that such vehicles comply with the applicable standards. Such a statement shall be based on previous emission tests, development tests, or other appropriate information.

(D) A manufacturer may petition the Administrator to waive the requirement to measure particulate emissions when conducting Selective Enforcement Audit testing of Otto-cycle vehicles.

(E) In lieu of testing a gasoline or diesel fueled Tier 2 or interim non-Tier 2 vehicle for formaldehyde emissions when such vehicles are certified based upon NMHC emissions, a manufacturer may provide a statement in its application for certification that such vehicles comply with the applicable standards. Such a statement must be based on previous emission tests, development tests, or other appropriate information.

(2) *Evaporative/Refueling testing.* Vehicles of each evaporative/refueling family will be divided into evaporative/refueling emission control systems. Applicability of the refueling test requirements of this paragraph shall be determined in accordance with the applicability of the refueling loss standards under the provisions of § 86.1810.

(i) *Testing at low altitude.* One EDV in each evaporative/refueling family and evaporative/refueling emission control system combination shall be tested in accordance with the evaporative/refueling test procedure requirement of subpart B of this part. The configuration of the EDV will be determined under the provisions of § 86.1828-01. The EDV must also be tested for exhaust emis-

sion compliance using the FTP and SFTP procedures of subpart B of this part.

(ii) *Testing at high altitude.* For high-altitude evaporative and/or refueling emission compliance for each evaporative/refueling family, the manufacturer shall follow one of the following two procedures:

(A) One EDV in each evaporative/refueling family and evaporative/refueling emission control system combination shall be tested in accordance with the evaporative/refueling test procedure requirement of subpart B of this part. The configuration of the EDV will be determined under the provisions of § 86.1824-01. The EDV must also be tested for exhaust emissions using the FTP procedures of subpart B of this part while operated at high altitude; or

(B) In lieu of testing vehicles according to the provisions of paragraph (b)(2)(ii)(A) of this section, a manufacturer may provide a statement in its application for certification that, based on the manufacturer's engineering evaluation of such high-altitude emission testing as the manufacturer deems appropriate, all light-duty vehicles and light-duty trucks comply with the emission standards at high altitude.

(3) *Cold CO Testing.* One EDV in each durability group shall be tested for cold temperature CO exhaust emission compliance in accordance with the test procedures in subpart C of this part or with alternative procedures requested by the manufacturer and approved in advance by the Administrator. The selection of which EDV and test group within the durability group will be tested for cold CO compliance will be determined under the provisions of § 86.1828-01(c).

(4) *Certification Short Test testing.* (i) To determine CST emission compliance for each durability group, the manufacturer shall follow one of the following two procedures:

(A) One EDV in each durability group shall be tested in accordance with the CST procedures set forth in subpart O of this part. The configuration of the EDV will be determined under the provisions of § 86.1828-01(d). The EDV must also be tested for exhaust emissions

using the FTP and SFTP procedures of subpart B of this part; or

(B) In lieu of testing vehicles according to the provisions of § 86.1829-01(b)(4)(i)(A), a manufacturer may provide a statement in its application for certification that, based on the manufacturer's engineering evaluation of such CST testing as the manufacturer deems appropriate, all light-duty vehicles and light-duty trucks comply with the CST emission standards.

(ii) For light-duty vehicles and light-duty trucks, a manufacturer with a test group that cannot be appropriately tested on all Certification Short Test emission test procedures described in § 86.1439 may request an exemption, as described in § 86.1427(d), from the inappropriate test(s) for purposes of demonstrating compliance with the Certification Short Test as described in subpart O of this part.

(iii) For light-duty vehicles and light-duty trucks, a manufacturer with a test group that can be appropriately tested on none of the Certification Short Test emission test procedures described in § 86.1439 may request an alternative procedure as described in § 86.1427(d).

(5) *Idle CO Testing.* To determine idle CO emission compliance for light-duty trucks, the manufacturer shall follow one of the following two procedures:

(i) For test groups containing light-duty trucks, each EDV shall be tested in accordance with the idle CO testing procedures of subpart B of this part; or

(ii) In lieu of testing light trucks for idle CO emissions, a manufacturer may provide a statement in its application for certification that, based on the manufacturer's engineering evaluation of such idle CO testing as the manufacturer deems appropriate, all light-duty trucks comply with the idle CO emission standards.

(c) *Running change testing.* Running change testing shall be conducted as required under the provisions of § 86.1842-01.

(d)(1) Beginning in the 2004 model year, the exhaust emissions must be measured from all LDV/T exhaust emission data vehicles tested in accordance with the federal Highway Fuel Economy Test (HWFET; 40 CFR part 600, subpart B). The oxides of ni-

trogen emissions measured during such tests must be multiplied by the oxides of nitrogen deterioration factor computed in accordance with § 86.1823-01 and subsequent model year provisions, and then rounded and compared with the applicable emission standard in § 86.1811-04. All data obtained from the testing required under this paragraph (d) must be reported in accordance with the procedures for reporting other exhaust emission data required under this subpart.

(2) In the event that one or more emission data vehicles fail the applicable HWFET standard in § 86.1811-04, the manufacturer may submit to the Administrator engineering data or other evidence showing that the system is capable of complying with the standard. If the Administrator finds, on the basis of an engineering evaluation, that the system can comply with the HWFET standard, he or she may accept the information supplied by the manufacturer in lieu of the test data.

(3) The provisions of paragraphs (d)(1) and (d)(2) of this section do not apply to MDPVs.

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**§ 86.1830-01 Acceptance of vehicles for emission testing.**

(a) *General test vehicle requirements.* (1) All test vehicles shall be tested in the proper configurations as specified in §§ 86.1822-01, 86.1828-01, or 86.1842-01, as applicable for the type of test conducted.

(2) Components affecting emissions which are used to build test vehicles shall either be randomly selected production parts or parts verified to be in the middle 50 percent of the tolerance range. The manufacturer will determine which components affect emissions using good engineering judgment.

(3) Test vehicles must have air conditioning installed and operational if that configuration is available with air conditioning. Optional equipment must be installed or represented on test vehicles according to the provisions of § 86.1832-01.

(4) Test vehicles must receive proper scheduled maintenance as established by the manufacturer according to the